

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TYRONE DEAN WELCH,

Defendant.

CR-13-112-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on February 10, 2021. (Doc. 64.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on February 9, 2021. (Doc. 59.) The United States accused Welch of violating his conditions of supervised

release 1) by failing to report for substance abuse testing; 2) by failing to report for substance abuse treatment; and 3) by failing to report to his probation officer as directed. (Doc. 57.)

At the revocation hearing, Welch admitted that he had violated the conditions of his supervised 1) by failing to report for substance abuse testing; 2) by failing to report for substance abuse treatment; and 3) by failing to report to his probation officer as directed. (Doc. 59.) Judge Johnston found that the violations Welch admitted proved to be serious and warranted revocation, and recommended that Welch receive a custodial sentence of 7 months, with 21 months of supervised release to follow. (Doc 64.) Welch was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 59.) The violations prove serious and warrant revocation of Jackson's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 64) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Tyrone Dean Welch be sentenced to the custody of the United States Bureau of Prisons for 7 months, with 21 months supervised release to follow. Welch should serve his term of custody at the Federal Correctional Institution in Sheridan, Oregon.

DATED this 2nd day of March, 2021.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line extending from the end.

Brian Morris, Chief District Judge
United States District Court

